

17. (Previously Presented) The system as in claim 16 wherein said expandable tubular implant comprises a tubular mesh.

25. (New Claim) The system as in claim 16 wherein a substance that hardens is inserted into the expanded tubular implant.

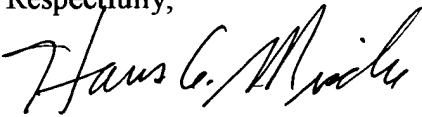
The claims above are supported by the specification and do not include any new subject matter not previously disclosed.

**Remarks**

Regarding Cottone(EP 0819413 A2), we discussed that the intent of the system presented in Mische(09/733,775) is to treat and fixate bone fractures, not to treat and maintain patency of blood vessels as disclosed by Cottone. Additionally and respectfully, Mische(09/733,775) inventively utilizes the shortening of the implant upon expansion as a deliberate therapeutic feature that additionally fixates bone fractures.

In view of the above amended claims and remarks, I ask that you consider the claims as being in a condition for allowance, and provide an issuance of a notice to that effect.

Respectfully,

A handwritten signature in black ink, appearing to read "Hans A. Mische", written in a cursive style.

Hans A. Mische